

PROB 12B
(7/93)

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 30 2014

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Maria Bonifasia Palomino	Case Number: 0980 2:12CR06007-001
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen	
Date of Original Sentence: May 3, 2010	Type of Supervision: Supervised Release
Original Offense: Possession of Methamphetamine With Intent to Distribute, 21 U.S.C. § 841(a)(1)	Date Supervision Commenced: December 30, 2011
Original Sentence: Prison - 37 M; TSR - 60 M	Date Supervision Expires: December 29, 2016

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

Maria Palomino is considered in violation of her supervised release, as she used marijuana on or about January 10, 2014. Ms. Palomino began her term of supervised release on May 3, 2010. She was transferred to our low risk caseload on July 3, 2012. Ms. Palomino was randomly drug tested on January 17, 2014, and was positive for marijuana. She admitted to the use and stated she injured her back at work and used the marijuana to help with back pain as she felt her prescribed medication was not helping.

Prior to the current violation, Ms. Palomino had been in compliance with reporting and she has no new law violations. As a sanction for her noncompliance, Ms. Palomino was advised she has been removed from the low risk caseload, will be reporting to this officer, and will be drug tested more frequently. This officer requests the Court consider this sanction as sufficient means to address the violation and requests the modification of supervision be imposed.

The defendant was originally sentenced in U.S. District Court in the District of Utah, and Special Condition #3 of the original judgment states, "the defendant will submit to drug/alcohol testing as directed by the probation officer, and pay a one-time \$115 fee to partially defray the costs of collection and testing." Because the wording for the condition is not consistent with the amount of tests U.S. Probation can obtain and the fee imposed, this officer requests a modification of supervision to have the proper wording for the drug testing condition for the Eastern District of Washington. Ms. Palomino has signed a modification order to amend this condition.

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Re: Palomino, Maria Bonifasia

January 29, 2014

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Respectfully submitted,

by s/SanJuanita B. Coronado

SanJuanita B Coronado

U.S. Probation Officer

Date: January 29, 2014

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

1/30/14

Date